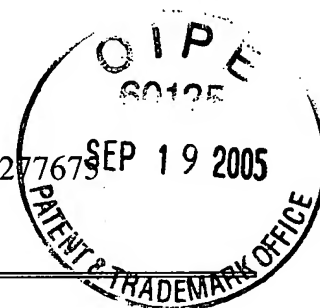


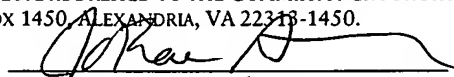
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): DEAN A. KLEIN et al.	Examiner:
Appln. No.: 10/626,931	Group Art Unit: 3737
Filing Date: July 25, 2003	Confirmation No.: 5405
Title: MULTI-MODALITY MARKING MATERIAL AND METHOD	Docket No. 54459-277679



United States Patent and Trademark Office
Mail Stop DUPLICATES
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

I CERTIFY THAT, ON SEPTEMBER 16, 2005, THIS PAPER IS BEING
DEPOSITED WITH THE U.S. POSTAL SERVICE AS FIRST CLASS MAIL IN
AN ENVELOPE ADDRESSED TO THE COMMISSIONER FOR PATENTS,
P. O. BOX 1450, ALEXANDRIA, VA 22313-1450.


JoRae Anderson

Response

This communication is responsive to the Office communication mailed on August 1, 2005, in which replacement copies of the foreign references cited in the Supplemental Information Disclosure Statement of January 7, 2005 have been requested.

As requested the following foreign references are enclosed, along with a copy of the Notice Under 37 CFR 1.251:


- EP 1 062 911 A2
- EP 1 249 207 A2
- EP 1 284 123 B1

No fee is believed to be necessary. Should any fee be required, the Commissioner is authorized to charge our Deposit Account No. 06-0029 and notify us of the same.

Respectfully Submitted,

DEAN A. KLEIN et al.

By:


John L. Crimmins, #51,589
FAEGRE & BENSON LLP
2200 Wells Fargo Center
90 South Seventh Street
Minneapolis, MN 55402-3901
612/766-7749

Dated: September 16, 2005
M2:20739084.01



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address.

NOTICE UNDER 37 CFR 1.251 - Pending Application

☐ The file on the cover sheet cannot be located after a reasonable search. Therefore, the Office is initiating the reconstruction of the file of the above-identified application pursuant to the provisions of 37 CFR 1.251.

Applicant is given a period of **THREE (3) MONTHS** from the mailing date of this notice within which to provide a copy of applicant's record (if any) of all of the correspondence between the Office and applicant for the above-identified application (except for U.S. patent documents), a list of such correspondence, and a statement that the copy is a complete and accurate copy of applicant's record of all of the correspondence between the Office and the applicant for the application (except for U.S. patent documents), and whether applicant is aware of any correspondence between the Office and applicant for the identified application that is not among applicant's records.

☒ The following paper(s) pertaining to the above-identified application cannot be located after a reasonable search:

Foreign References dated 01/10/05.

Therefore, the Office is initiating the reconstruction of such paper(s) pursuant to the provisions of 37 CFR 1.251.

Applicant is given a period of **THREE (3) MONTHS** from the mailing date of this notice within which to provide a copy of the paper(s) listed above and a statement that the copy of such paper(s) is a complete and accurate copy of applicant's record of such paper(s).

If applicant does not possess any record of the correspondence between the Office and the applicant for the application (or any copy of the paper(s) listed above), applicant must reply to this notice by providing a statement that applicant does not possess any record of the correspondence between the Office and the applicant for the above-identified application.

Failure to reply to this notice in a timely manner will result in abandonment of the above-identified application. The three-month period for reply to this notice may be extended (up to a maximum of six months) under the provisions of 37 CFR 1.136(a). However, failure to reply within this three-month period will result in a reduction of any patent term adjustment. See 37 CFR 1.704(b).

☐ A printout from PALM of the contents of the file of the above-identified application is included with this notice.

Direct the reply to this notice to:

U.S. Patent and Trademark Office
Mail Stop: **Duplicates**
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Direct questions concerning this notice to:

Image Assistance Center/ Customer Service

1-(888)-786-0101

PTO Doc Code: R251.NTC (Rev. 03/05)

In re Application of: KLEIN, DEAN A. et al.
Application No.: 10626931
Filing Date: 07/25/03
Title: MULTI-MODALITY MARKING MATERIAL AND METHOD



U.S. Patent and Trademark Office
Mail Stop: Duplicates
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

NOTICE UNDER 37 CFR 1.251 – Pending Application

Statement (check the appropriate box):

☐ The copy submitted with this reply is a complete and accurate copy of applicant's record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and applicant is not aware of any correspondence between the Office and applicant for the above-identified application that is not among applicant's records.

☒ The copy of the paper(s) listed in the notice under 37 CFR 1.251 is/are a complete and accurate copy of applicant's record of such paper(s).

☐ The papers produced by applicant are applicant's complete record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and applicant is not aware of any correspondence between the Office and the applicant for the above-identified application that is not among applicant's records.

☐ Applicant does not possess any record of the correspondence between the Office and the applicant for the above-identified application.

9-16-05
Date

John L. Crimmins
Signature
John L. Crimmins
Typed or printed name

A Copy of this notice should be returned with the reply.

Burden Hour Statement: This collection of information is required by 37 CFR 1.251. The information is used by the public to reply to a request for copies of correspondence between the applicant and the USPTO in order to reconstruct an application file. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 60 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.